

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MINNESOTA

WFC HOLDINGS CORPORATION,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 07-CV-3320-JRT-FLN
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	

DECLARATION OF PHILIP KARTER

I, PHILIP KARTER, pursuant to 28 U.S.C., Section 1746, declare as follows:

1. I am a shareholder with the law firm of Chamberlain, Hrdlicka, White, Williams & Martin, resident in the firm's West Conshohocken, Pennsylvania office. In my capacity as such, I represent the Plaintiff, WFC Holdings Corporation in the above-captioned litigation.
2. I have personal knowledge of the matters set forth in this declaration.
3. On Wednesday, July 22, 2009, at Plaintiff's offices at 333 S. Grand Avenue, Los Angeles, California, Mr. Thomas P. Cole, lead counsel for Defendant, personally informed me that Professor Torous had made an error in his expert report. Specifically, Mr. Cole stated that, contrary to the deposition testimony from the prior day, Professor Torous had relied on data from the entire Los Angeles real estate market, not data confined solely to the downtown Los Angeles submarket, to prepare his report.
4. Mr. Cole stated that, in light of this error, Mr. Torous would produce a revised expert report based upon data limited to the downtown Los Angeles submarket. The revised report was subsequently produced on July 31, 2009.

5. Attached to this declaration as Exhibit 1 is a true and correct copy of WFP-00255.
6. Attached to this declaration as Exhibit 2 is a true and correct copy of WFP-00132.
7. Attached to this declaration as Exhibit 3 is a true and correct copy of WFP-00249.
8. Attached to this declaration as Exhibit 4 is a true and correct copy of WFP-00734.
9. Attached to this declaration as Exhibit 5 is a true and correct copy of WFP2-04716.
10. Attached to this declaration as Exhibit 6 is a true and correct copy of WFP2-04717.
11. Attached to this declaration as Exhibit 7 is a true and correct copy of WFP2-04718.
12. Attached to this declaration as Exhibit 8 is a true and correct copy of WFP13-19257.
13. Attached to this declaration as Exhibit 9 are the relevant excerpts of a true and correct copy of WFP-02232.
14. Attached to this declaration as Exhibit 10 are excerpts from the transcript of the October 28, 2008 deposition of Donald E. Dana that are relevant to this motion.
15. Attached to this declaration as Exhibit 11 are excerpts from the transcript of the October 15, 2003 interview of Donald E. Dana that are relevant to this motion.
16. Attached to this declaration as Exhibit 12 are excerpts from the transcript of the October 23, 2008 deposition of Mark A. Ingram that are relevant to this motion.
17. Attached to this declaration as Exhibit 13 are excerpts from the transcript of the January 22, 2004 interview of Richard Hayes that are relevant to this motion.
18. Attached to this declaration as Exhibit 14 are excerpts from the transcript of the September 25, 2008 deposition of Karen Bowen that are relevant to this motion.
19. Attached to this declaration as Exhibit 15 are excerpts from the December 1, 2008 Report of Douglas J. Skinner.

20. Attached to this declaration as Exhibit 16 are excerpts from the transcript of the March 20, 2009 deposition of Douglas J. Skinner that are relevant to this motion.
21. Attached to this declaration as Exhibit 17 is a true and correct copy of the December 1, 2008 Report of Oliver D. Hart .
22. Attached to this declaration as Exhibit 18 is a true and correct copy of the May 15, 2009 Rebuttal Report of Oliver D. Hart
23. Attached to this declaration as Exhibit 19 are excerpts from the transcript of the March 13, 2009 deposition of Oliver D. Hart that are relevant to this motion.
24. Attached to this declaration as Exhibit 20 are excerpts from the transcript of the July 16, 2009 deposition of Oliver D. Hart that are relevant to this motion.
25. Attached to this declaration as Exhibit 21 is a true and correct copy of the May 15, 2009 Report of Walter Torous.
26. Attached to this declaration as Exhibit 22 are excerpts from the transcript of the July 21, 2009 deposition of Walter Torous that are relevant to this motion.
27. Attached to this declaration as Exhibit 23 is a true and correct copy of the July 31, 2009 Revised Report of Walter Torous.
28. Attached to this declaration as Exhibit 24 is a true and correct copy of Defendant's Responses to Plaintiff's First Set of Requests for Admissions.
29. Attached to this declaration as Exhibit 25 is a true and correct copy of Defendant's Objections and Responses to Plaintiff's First Set of Interrogatories.
30. Attached to this declaration as Exhibit 26 is a true and correct copy of the January 16, 2009 Letter of Thomas P. Cole to Philip Karter.

I declare under penalty of perjury that the foregoing is true and correct.

31. Attached to this declaration as Exhibit 27 is the February 4, 2009 Revised Expert Report of Steven R. Grenadier
32. Attached to this declaration as Exhibit 28 is the March 16, 2009 Revised Expert Report of Steven R. Grenadier

Executed this 16th day of October, 2009.

/s/ Philip Karter

PHILIP KARTER

Chamberlain, Hrdlicka, White,
Williams & Martin

300 Conshohocken State Road, Suite 570
West Conshohocken, PA 19428
Telephone: (610) 772-2300

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2009, I caused the foregoing DECLARATION OF PHILIP KARTER to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

thomas.p.cole@usdoj.gov
gregory.van.hoey@usdoj.gov
jacqueline.c.brown@usdoj.gov

Dated: October 16, 2009

/s/ Philip Karter

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